GOVERNMENT OF INDIA
URBAN DEVELOPMENT
LOK SABHA

UNSTARRED QUESTION NO:3154
ANSWERED ON:19.12.2008
ACQUISITION OF PROPERTY
Rao Shri Kavuru Samba Siva

Will the Minister of URBAN DEVELOPMENT be pleased to state:

(a) the details of recent Supreme Court Judgement regarding the law on adverse possession and taking control of property from the owner by the squatters and its effect on property ownership rights;

(b) the assessment/findings made pertaining to the effect of violation of right to property on social and economic development of our society;

(c) whether the Government proposes to accept the Supreme Court Judgement and enact/amend the law to recognize right to property a s an important human right with provision to ensure speedy restoration of property to the owner and punishment to squatters; and

(d) if so, the details thereof?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF URBAN DEVELOPMENT (SHRI AJAY MAKEN)

(a): The details of judgement in question regarding law on adverse possession and taking control of property from the owner by the squatters and its effect on property ownership rights are available in Supreme Court judgement in the matter of Homji Waghaji Jai Vs B. K. Harijan (2008) 12 SCALE 697

(b): The details are available in the judgement of Supreme Court as mentioned at para (a) above.

(c)&(d): The Government has decided to refer this matter to Law Commission.